

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Nelson (Reg. No. 47,818) on April 27, 2006.

The application has been amended as follows:

#### IN THE SPECIFICATION

On page <sup>8</sup>~~7~~, line <sup>6</sup>~~8~~, delete "P<sub>ref</sub>" and insert "P<sub>REF</sub>".

On page <sup>8</sup>~~7~~, line <sup>8</sup>~~10~~, delete "P<sub>ref</sub>" and insert "P<sub>REF</sub>".

On page <sup>8</sup>~~7~~, line 22, delete the following equation:

$$F_{PS}(P) = 0.2 * \{1 - [\text{ArcTan}(\alpha * (P_{\text{final}} - P_{\text{REF}})) * 2/\pi]\} \text{ (Eq. 1),}$$

and insert the following equation:


$$F_{PS}(P) = 0.2 * \{1 - [\text{ArcTan}(\alpha * (P_{\text{final}} - P_{\text{REF}})) * 2/\pi]\} \text{ (Eq. 1).}$$

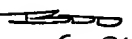
On page <sup>17</sup>~~14~~, line <sup>4</sup>~~25~~, delete the following equation:

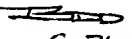
$$X_{P,CS} = X_{P_{\text{ref}},CS} * F_{PS}(P) \quad (\text{Eq. 4})$$

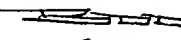
and insert the following equation:

$$X_{P,CS} = X_{P_{\text{ref}},CS} * F_{PS}(P) \quad (\text{Eq. 4})$$

  
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On page <sup>17</sup>~~14~~, line <sup>6</sup>~~27~~, delete "X<sub>Pref,CS</sub>" and insert "X<sub>P<sub>ref</sub>,CS</sub>".

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6-21-06

IN THE CLAIMS

1. (currently amended) A system for dynamically pricing a product, the system comprising:

means for collecting and storing data on past and current sales;

means for forecasting normalized future sales volume based upon the  
past sales  
data;

means for forecasting normalized future sales volume based upon the  
past sales  
data;

means for determining price sensitivity of consumers to changes in price  
of the  
product based upon past data, wherein the ~~mean~~ means for determining price  
sensitivity uses a

logistic mathematical model that comprises a price sensitivity function:

$$F_{PS}(P) = 0.2 * \{1 - [\text{Arc-Tan}(\alpha * (P_{\text{final}} - P_{\text{REF}})) * 2 / \pi]\},$$

wherein

P<sub>REF</sub>, P<sub>Tef</sub> is a reference price P<sub>REF</sub>,